

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSH McCLOUD, )  
Petitioner, )  
vs. ) Civil Action No. 11-2 E  
GERALD ROZUM, and THE ATTORNEY ) District Judge Maurice B. Cohill  
GENERAL OF THE STATE OF ) Magistrate Judge Maureen P. Kelly  
PENNSYLVANIA, )  
Respondents. )

**ORDER**

AND NOW, this 1<sup>st</sup> day of August, 2013, after the Petitioner, Josh McCloud, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until July 15, 2013 to file written objections thereto, and no objections having been filed to the report and recommendation, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 for Writ of Habeas Corpus By A Person In State Custody (the "Petition") is denied;

IT IS FURTHER ORDERED that a Certificate of Appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

Maureen B. Co Hill, Jr.  
MAURICE B. COHILL  
United States District Judge

cc: Honorable Maureen P. Kelly  
United States Magistrate Judge

Josh McCloud  
GX2050  
SCI Somerset  
1600 Walters Mill Road  
Somerset, PA 15510

All Counsel of Record Via CM-ECF